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A LIMITED LIABILITY LAW PARTNERSHIP LLP

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Attorneys for Defendant / Cross Claimant
HAWAIIAN ELECTRIC COMPANY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MOTORS INSURANCE
CORPORATION and BIG ISLAND
TOYOTA,

Plaintiff,

vs.

YOUNG BROTHERS, LIMITED;
HAWAIIAN ELECTRIC COMPANY,
INC.; AMERICAN PACIFIC

CV04-00724 HG/BMK

DEFENDANT HAWAIIAN
ELECTRIC COMPANY, INC.'S
SCHEDULING CONFERENCE
STATEMENT; CERTIFICATE OF
SERVICE

TRANSPORT CO., LTD.; PIRELLI
CABLE NORTH AMERICA, INC.,
Defendants.

SCHEDULING CONFERENCE:

Date: June 13, 2006

Time: 1:30 p.m.

Judge: Magistrate Barry M. Kurren

**DEFENDANT HAWAIIAN ELECTRIC COMPANY, INC.'S
SCHEDULING CONFERENCE STATEMENT**

Pursuant to L.R. 16.2(b), Defendant Hawaiian Electric Company, Inc. ("HECO"), by and through its attorneys, Goodsill Anderson Quinn & Stifel, A Limited Liability Law Partnership LLP, hereby submits its Scheduling Conference Statement.

I. STATEMENT OF THE CASE

The instant matter arises out of an incident allegedly occurring on or about March 23, 2003. Plaintiffs Motor Insurance Corporation and Big Island Toyota contend that on or about that date their vehicle was damaged by a shipment of wire spool that was in the possession of and being shipped by Young Brothers, Ltd. The shipment of wire spool was purchased by HECO from Defendant Pirelli Cable North America, Inc. ("Pirelli"). As between HECO and Pirelli, Pirelli bore the risk of damage caused during product shipment until the order reached the destination point, which in this case was HECO's affiliate in Hilo, Hawaii.

II. JURISDICTION

Jurisdiction and venue are not disputed.

III. JURY TRIAL

Non-jury.

IV. DISCLOSURES

Initial disclosures, as required by Rule 26 of the Federal Rules of Civil Procedure, are adequate. The initial disclosures will be submitted according to timelines agreed upon by the parties.

V. DISCOVERY/MOTIONS PENDING

No motions are currently pending before this Court.

VI. SPECIAL PROCEDURES

No special procedures are requested at this time.

VII. RELATED CASES

None.

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VIII. ADDITIONAL MATTERS

As to HECO's third-party claims, default has been entered against Pirelli and Defendant American Pacific Transport Co., Ltd. Plaintiffs are still in the process of serving Pirelli and American Pacific Transport Co., Ltd.

DATED: Honolulu, Hawaii, June 6, 2006.

/s/ Randolph L.M. Baldemor

RANDOLF L. M. BALDEMOR

SUSAN A. LI

R. SCOTT SIMON

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Claimant

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CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was duly served upon the following party at the address listed below on the date noted below:

**Electronically
through CM/ECF** **Hand
Delivery**

Greg Nishioka, Esq.
Nishioka & Fujioka
841 Bishop Street, Suite 224
Honolulu, Hawai'i 96813-3902



Attorney for Plaintiffs

DATED: Honolulu, Hawaii, June 6, 2006.

/s/ Randolph L.M. Baldemor

RANDOLF L. M. BALDEMOR

SUSAN A. LI
R. SCOTT SIMON

Attorneys for Defendant / Cross
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HAWAIIAN ELECTRIC COMPANY